

**2021 HOUSE FINANCE AND TAXATION**

**HCR 3028**

# 2021 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee  
Room JW327E, State Capitol

HCR 3028  
2/8/2021

A concurrent resolution urging Congress to include state and local 911 dispatchers as qualified public safety employees and therefore not subject to the early distribution tax under the Internal Revenue Code retirement provisions.

**Chairman Headland** opened the hearing at 10:39am.

<b>Representatives</b>	<b>Present</b>
Representative Craig Headland	Y
Representative Vicky Steiner	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Jason Dockter	Y
Representative Sebastian Ertelt	AB
Representative Jay Fisher	Y
Representative Patrick Hatlestad	Y
Representative Zachary Ista	Y
Representative Tom Kading	Y
Representative Ben Koppelman	Y
Representative Marvin E. Nelson	Y
Representative Nathan Toman	AB
Representative Wayne A. Trottier	Y

**Discussion Topics:**

- 911 dispatchers
- The IRS code and treatment of dispatchers.
- Early distribution tax

**Representative Porter** introduced the bill (no written testimony).

**Chairman Headland** closed the hearing at 10:48am.

**Representative Dockter** made a motion for a **DO PASS**

**Representative D. Anderson** seconded the motion.

**Roll call vote:**

<b>Representatives</b>	<b>Vote</b>
Representative Craig Headland	Y
Representative Vicky Steiner	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Jason Dockter	Y
Representative Sebastian Ertelt	AB
Representative Jay Fisher	Y
Representative Patrick Hatlestad	Y
Representative Zachary Ista	Y
Representative Tom Kading	Y
Representative Ben Koppelman	Y
Representative Marvin E. Nelson	Y
Representative Nathan Toman	AB
Representative Wayne A. Trottier	Y

**Motion carried 12-0-2**

**Representative Dockter is the bill carrier.**

**Additional written testimony:**

**Darren Schimke, Professional Fire Fighter of North Dakota, testimony in support #5856.**

**Becky Ault, Grand Forks Public Safety Answering Point/ND 911 Association, testimony in support #5720.**

**Chairman Headland** closed the discussion at 10:49am.

*Mary Brucker, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HCR 3028: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3028 was placed on the Eleventh order on the calendar.

# Professional Fire Fighters of North Dakota

#5856

Darren Schimke, President | 218-779-4122 | [dschimke@wiktel.com](mailto:dschimke@wiktel.com)

2-8-2021

House Finance and Taxation Committee

Mr. Chairman and members of the Finance and Taxation Committee,

My name is Darren Schimke. I am the President of the Professional Fire Fighter of North Dakota representing 415 professional firefighters across the State of North Dakota. We appreciate the opportunity to provide testimony in favor of HCR 3028.

911 dispatchers are literally THE front line of the emergency service system. No matter the type of emergency, they provide information, guidance, support and updates as the emergency unfolds and develops. This flow of information is constantly being relayed to the responding entities. With that, they must deal with levels of internal stress and odd work hours daily.

As I reflect back on the beginning of my career with the Grand Forks Fire Department, we performed our own dispatch. The 911 call came directly to the department and we self-dispatched. There is no doubt in my mind that the level of service to our citizens has improved to levels that can't be relayed into words. It's simply remarkable!

They deserve to be included as qualified public safety employees and not subject to the early distribution tax under the IRS retirement provision.

We appreciate your consideration of a Do Pass recommendation and hope that you support HCR 3028 with us.

Darren Schimke

February 8, 2021  
House Finance and Taxation  
Honorable Chairman Craig Headland

HCR 3028  
SUPPORT

Chairman Headland and members of the Finance and Taxation Committee, for the record my name is Becky Ault, Director of the Grand Forks Public Safety Answering Point, and Co-Chair of the ND 911 Association Legislative Committee. I urge support of HCR 3028, which is a concurrent resolution urging Congress to include state and local 911 dispatchers as qualified public safety employees and therefore not subject to the early distribution tax under the Internal Revenue Code retirement provisions.

Our 911 Association has been working on options to allow for early retirement opportunities for public safety communications personnel in North Dakota. We found that by IRS rule, these employees do not currently fit under the “Qualified Public Safety Employee” category to avoid tax penalties for earlier retirement.

This resolution will urge support of our congressional delegation to help facilitate modification to the IRS regulations to add public safety communications personnel to the list of qualified personnel. For your further information, there is currently a federal bill, the 911 SAVES Act, which would modify the OMB status of our public safety communicators to public safety status, which has not yet been passed. In the interim, if help could be obtained for this IRS modification we are one step further in our goal to allow for our communications personnel the option to retire early if they desire, due to the nature of their job.

Public safety communication centers serve as the central hub; the heartbeat of public safety in any community. They directly contribute to saving lives, protecting property and maintaining order in the midst of chaos. They work the same shifts, risk the same adverse psychological stress, and miss child and family engagements while serving their communities. The toll over the years can wear on these critical employees as it does any of our other public safety brothers and sisters. Many reach a point in 25-30 years of dealing with tragedy that it is physically and psychologically enough. Their contributions to maintaining a safe community should be rewarded as it is with law enforcement officers, firefighters and emergency medical personnel.

The current group considered Qualified Public Safety Employees includes those involved in police protection, firefighting services, or emergency medical services. Arguably, public

safety communications personnel do all of these things, but they are denied the same benefit of an earlier retirement. But, also now included in this eligible group are:

- Federal law enforcement officers,
- Federal customs and border protection officers,
- Federal firefighters,
- Air traffic controllers,
- Nuclear materials couriers,
- Members of the United States Capitol Police,
- Members of the Supreme Court Police, and
- Diplomatic security special agents of the United States Department of State.

These additions are warranted, knowing the types of jobs these are and the long-term physical and mental impact of these jobs. Public safety communications personnel are basically the air traffic controller of the public safety community, handling emergency calls, providing lifesaving instructions, and managing the response from start to finish, all day, every day.

We thank you for your service and for your consideration of this important resolution which will aid in the recruitment and retention of our critical public safety communications personnel – our dispatchers.

**2021 SENATE FINANCE AND TAXATION**

**HCR 3028**



# 2021 SENATE STANDING COMMITTEE MINUTES

## Finance and Taxation Committee Fort Totten Room, State Capitol

HCR 3028  
3/8/2021

A concurrent resolution urging Congress to include state and local 911 dispatchers as qualified public safety employees and therefore not subject to the early distribution tax under the Internal Revenue Code retirement provisions.

**Chair Bell** calls the meeting to order. Chair Bell, Vice Chair Kannianen, Senators Meyer, J. Roers, Patten, Piepkorn, Weber are present. [11:01]

### Discussion Topics:

- Dispatchers retirement age
- Retirement program eligibility
- Stress and burn out

**Representative Porter** [11:05] introduces the bill orally in favor.

**Donnell Preskey** [11:11] ND Association of Counties orally in favor.

### Additional written testimony:

**Rebecca Ault**, Director/Co-Chair of ND 911 Association Legislative Committee in favor #7581.

**Darren Schimke**, President, Professional Fire Fighters of North Dakota in favor #7835.

**Chair Bell** adjourns the hearing. [11:12]

**Senator Meyer** [11:12] moved DO PASS

**Senator Piepkorn** second

Senators	Vote
Senator Jessica Bell	Y
Senator Jordan Kannianen	Y
Senator Scott Meyer	Y
Senator Dale Patten	Y
Senator Merrill Piepkorn	Y
Senator Jim Roers	Y
Senator Mark Weber	Y

Motion passes 7-0-0

**Senator Meyer** carries

**Chair Bell** adjourns meeting [11:13]

*Joel Crane, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HCR 3028: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Fourteenth order on the calendar.

# #7581

March 8, 2021  
Senate Finance and Taxation  
Honorable Chairman Jessica Bell

HCR 3028  
SUPPORT

Chairman Bell and members of the Finance and Taxation Committee, for the record my name is Becky Ault, Director of the Grand Forks Public Safety Answering Point, and Co-Chair of the ND 911 Association Legislative Committee. I urge support of HCR 3028, which is a concurrent resolution urging Congress to include state and local 911 dispatchers as qualified public safety employees and therefore not subject to the early distribution tax under the Internal Revenue Code retirement provisions.

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We thank you for your service and for your consideration of this important resolution which will aid in the recruitment and retention of our critical public safety communications personnel – our dispatchers.

# Professional Fire Fighters of North Dakota

#7835

Darren Schimke, President | 218-779-4122 | [dschimke@wiktel.com](mailto:dschimke@wiktel.com)

3-8-2021

Senate Finance and Taxation Committee

Chairwoman Bell and members of the Finance and Taxation Committee,

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I have observed first-hand the internal struggle that the 911 center has with recruitment and retention. The passage of this bill will assist 911 Directors across our State with attracting qualified individuals that will remain with the Centers long term.

As I reflect back on the beginning of my career with the Grand Forks Fire Department, we performed our own dispatch. The 911 call came directly to the department and we self-dispatched. There is no doubt in my mind that the level of service to our citizens has improved to levels that can't be relayed into words. It's simply remarkable!

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Darren Schimke